

§810, Sept. 2, 1964, 78 Stat. 803; Pub. L. 9019, §21(d), (f), May 25, 1967, 81 Stat. 26; Pub. L. 9066, Aug. 19, 1967, 81 Stat. 167, was omitted in the general reorganization of this chapter by Pub. L. 91152. For subject matter of former section 811, see section 802 of this title.

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

### CHAPTER 24—GRANTS FOR EDUCATIONAL MATERIALS, FACILITIES AND SERVICES, AND STRENGTHENING OF EDUCATIONAL AGENCIES

#### CODIFICATION

Titles I to IX of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, Apr. 11, 1965, 79 Stat. 27, as amended, which were classified to this chapter (§821 et seq.), subchapter II (§241a et seq.) of chapter 13, and subchapter I (§1801 et seq.) of chapter 40 of this title, were amended generally by Pub. L. 95561, Nov. 1, 1978, 92 Stat. 2152, known as the Education Amendments of 1978, and the Elementary and Secondary Education Act of 1965 was transferred to chapter 47 (§2701 et seq.) of this title. Subsequently, that act was amended generally by Pub. L. 103382, title I, §101, Oct. 20, 1994, 108 Stat. 3519, and transferred to chapter 70 (§6301 et seq.) of this title.

#### SUBCHAPTER I—SCHOOL LIBRARY RESOURCES, TEXTBOOKS, AND OTHER INSTRUCTIONAL MATERIALS

##### §§821 to 827. Omitted

#### CODIFICATION

Sections were omitted in the general revision of title II of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, Apr. 11, 1965, 79 Stat. 36, by Pub. L. 95561, title II, §201, Nov. 1, 1978, 92 Stat. 2201.

Section 821, Pub. L. 8910, title II, §201, Apr. 11, 1965, 79 Stat. 36; Pub. L. 89750, title I, §121, Nov. 3, 1966, 80 Stat. 1199; Pub. L. 90247, title III, §301(b), Jan. 2, 1968, 81 Stat. 813; Pub. L. 91230, title I, §121(a), Apr. 13, 1970, 84 Stat. 130; Pub. L. 93380, title I, §102(a), Aug. 21, 1974, 88 Stat. 501; Pub. L. 95112, §2(b)(1), Sept. 24, 1977, 91 Stat. 911, authorized appropriations for grants for the acquisition of books and school library resources for fiscal years ending prior to Oct. 1, 1979.

Section 822, Pub. L. 8910, title II, §202, Apr. 11, 1965, 79 Stat. 36; Pub. L. 89750, title I, §122, Nov. 3, 1966, 80 Stat. 1199; Pub. L. 90247, title I, §121, Jan. 2, 1968, 81 Stat. 788; Pub. L. 91230, title I, §121(b), Apr. 13, 1970, 84 Stat. 130; Pub. L. 92318, title IV, §421(b)(1)(A), June 23, 1972, 86 Stat. 341; Pub. L. 93380, title I, §102(b), title VIII, §843(a), Aug. 21, 1974, 88 Stat. 502, 611, authorized additional appropriations for the territories and provided for the allotment of funds to States.

Section 823, Pub. L. 8910, title II, §203, Apr. 11, 1965, 79 Stat. 37; Pub. L. 89750, title I, §123, Nov. 3, 1966, 80 Stat. 1200; Pub. L. 92318, title V, §509(a)(1), June 23, 1972, 86 Stat. 353, set out the requirements for State plans.

Section 824, Pub. L. 8910, title II, §204, Apr. 11, 1965, 79 Stat. 38; Pub. L. 91230, title I, §121(c), Apr. 13, 1970, 84 Stat. 130; Pub. L. 94482, title V, §501(c), Oct. 12, 1976, 90 Stat. 2236; Pub. L. 95112, §2(b)(2), Sept. 24, 1977, 91 Stat. 911, made provision for payments to States.

Section 825, Pub. L. 8910, title II, §205, Apr. 11, 1965, 79 Stat. 38, provided for public control of furnished materials.

Section 826, Pub. L. 8910, title II, §206, Apr. 11, 1965, 79 Stat. 39, related to the administration of State plans.

Section 827, Pub. L. 8910, title II, §207, Apr. 11, 1965, 79 Stat. 39, related to judicial review of the Commissioner's final action.

### SUBCHAPTER II—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

##### §841. Omitted

#### CODIFICATION

Section, Pub. L. 8910, title III, §301, Apr. 11, 1965, 79 Stat. 39; Pub. L. 89750, title I, §131, Nov. 3, 1966, 80 Stat. 1201; Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 788; Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 130; Pub. L. 93380, title I, §103(a), Aug. 21, 1974, 88 Stat. 502; Pub. L. 94482, title V, §501(a)(2), Oct. 12, 1976, 90 Stat. 2235; Pub. L. 95112, §2(c)(1), Sept. 24, 1977, 91 Stat. 911, which authorized appropriations for the making of grants for supplementary educational centers and services for fiscal years ending prior to Oct. 1, 1979, was omitted in the general revision of title III of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title III, Apr. 11, 1965, 79 Stat. 39, by Pub. L. 95561, title III, §301, Nov. 1, 1978, 92 Stat. 2210.

#### APPROPRIATION UNDER NATIONAL DEFENSE PROVISIONS AS APPROPRIATION UNDER THIS SECTION

Pub. L. 91230, title I, §131(c), Apr. 13, 1970, 84 Stat. 141, provided that any appropriation for the purposes of title V of the National Defense Education Act of 1958, section 481 et seq. of this title, for any fiscal year ending after June 30, 1970, was to be deemed to have been appropriated pursuant to this section.

##### §§842 to 844a. Omitted

#### CODIFICATION

Sections were omitted in the general revision of title III of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title III, Apr. 11, 1965, 79 Stat. 39, by Pub. L. 95561, title III, §301, Nov. 1, 1978, 92 Stat. 2210.

Section 842, Pub. L. 8910, title III, §302, Apr. 11, 1965, 79 Stat. 40; Pub. L. 89750, title I, §132, Nov. 3, 1966, 80 Stat. 1201; Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 789; Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 131; Pub. L. 92318, title IV, §421(b)(1)(B), June 23, 1972, 86 Stat. 341; Pub. L. 93380, title I, §103(b), title VIII, §843(a), Aug. 21, 1974, 88 Stat. 502, 611, provided for the allotment of appropriated funds for supplementary educational centers and services.

Section 843, Pub. L. 8910, title III, §303, Apr. 11, 1965, 79 Stat. 40; Pub. L. 89750, title I, §152(b), Nov. 3, 1966, 80 Stat. 1203; Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 790; Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 132; Pub. L. 92318, title V, §509(a)(2), June 23, 1972, 86 Stat. 353, related to the uses of Federal funds for supplementary educational centers and services.

Section 844, Pub. L. 8910, title III, §304, Apr. 11, 1965, 79 Stat. 41; Pub. L. 89750, title I, §§133, 134, Nov. 3, 1966, 80 Stat. 1201, 1202; Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 791; Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 133, related to the content and form of applications for grant funds for supplementary educational centers and services.

Section 844a, Pub. L. 8910, title III, §305, as added Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 792; amended Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 135; Pub. L. 93380, title I, §103(c), title IV, §402(c)(2)(i), Aug. 21, 1974, 88 Stat. 502, 546; Pub. L. 94273, §3(8), Apr. 21, 1976, 90 Stat. 376; Pub. L. 95112, §2(c)(2), Sept. 24, 1977, 91 Stat. 911, set out the requisites for State plans for supplementary educational centers and services.

A prior section 305 of Pub. L. 8910 was renumbered section 307 by section 131 of Pub. L. 90247 and was set out as section 845 of this title.

##### §844b. Repealed. Pub. L. 93380, title IV, §402(c)(2)(ii), Aug. 21, 1974, 88 Stat. 546

Section, Pub. L. 8910, title III, §306, as added Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 796; amended Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 139, provided for special programs and projects.

## EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1975, see section 402(c)(2) of Pub. L. 93380.

**§§845 to 848. Omitted**

## CODIFICATION

Section 845, Pub. L. 8910, title III, §307, formerly §305, Apr. 11, 1965, 79 Stat. 43, renumbered and amended Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 796; Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 139; Pub. L. 93380, title I, §103(d), title IV, §402(c)(2)(iii), title VIII, §843(a)(2), Aug. 21, 1974, 88 Stat. 502, 546, 611; Pub. L. 94482, title III, §323(a)(2), Oct. 12, 1976, 90 Stat. 2217, which related to the payments to States to carry out plans for supplementary educational centers and services, was omitted in the general revision of title III of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title III, Apr. 11, 1965, 79 Stat. 39, by Pub. L. 95561, title III, §301, Nov. 1, 1978, 92 Stat. 2210.

Section 846, Pub. L. 8910, title III, §306, Apr. 11, 1965, 79 Stat. 43, required the establishment of an Advisory Committee on Supplementary Educational Centers and Services in the Office of Education, specified its membership and functions and provided for the compensation of its members, and was omitted in the general reorganization of this subchapter by Pub. L. 90247.

Sections 847 and 847a were omitted in the general revision of title III of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title III, Apr. 11, 1965, 79 Stat. 39, by Pub. L. 95561, title III, §301, Nov. 1, 1978, 92 Stat. 2210.

Section 847, Pub. L. 8910, title III, §308, formerly §307, Apr. 11, 1965, 79 Stat. 44, renumbered Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 797; amended Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 140, related to the recovery of payments to supplementary educational centers and services.

Section 847a, Pub. L. 8910, title III, §309, as added Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 797; amended Pub. L. 91230, title I, §131(a)(1), Apr. 13, 1970, 84 Stat. 140; Pub. L. 93380, title VIII, §845(b), Aug. 21, 1974, 88 Stat. 612; Pub. L. 94273, §3(8), Apr. 21, 1976, 90 Stat. 376; Pub. L. 95112, §2(c)(3), Sept. 24, 1977, 91 Stat. 911, provided for the establishment of a National Advisory Council on Supplementary Centers and Services.

Section 848, Pub. L. 8910, title III, §310, formerly §308, Apr. 11, 1965, 79 Stat. 44, renumbered Pub. L. 90247, title I, §131, Jan. 2, 1968, 81 Stat. 798, which related to labor standards for grant-assisted construction projects, was eliminated in the general amendment of this subchapter by section 131(a)(1) of Pub. L. 91230. See section 1232b of this title.

### SUBCHAPTER III — STRENGTHENING STATE AND LOCAL EDUCATIONAL AGEN- CIES

#### PART A—GRANTS TO STRENGTHEN STATE DEPARTMENTS OF EDUCATION

**§§861 to 865. Omitted**

## CODIFICATION

Sections were omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95561, title V, §501, Nov. 1, 1978, 92 Stat. 2240.

Section 861, Pub. L. 8910, title V, §501, Apr. 11, 1965, 79 Stat. 47; Pub. L. 89750, title I, §151, Nov. 3, 1966, 80 Stat. 1203; Pub. L. 90247, title I, §141, Jan. 2, 1968, 81 Stat. 799; Pub. L. 91230, title I, §§141, 143(a)(4)(B), Apr. 13, 1970, 84 Stat. 141, 142; Pub. L. 93380, title I, §104(a), Aug. 21, 1974, 88 Stat. 503; Pub. L. 95112, §2(e)(1), Sept. 24, 1977, 91 Stat. 911, authorized appropriations for grants to strengthen State departments of education for fiscal years ending prior to Oct. 1, 1979.

Section 862, Pub. L. 8910, title V, §502, Apr. 11, 1965, 79 Stat. 48; Pub. L. 89750, title I, §152(c), Nov. 3, 1966, 80

Stat. 1203; Pub. L. 90247, title I, §§142(a), 143, 145(b)(1), (2), Jan. 2, 1968, 81 Stat. 799, 800; Pub. L. 91230, title I, §143(a)(4)(B), Apr. 13, 1970, 84 Stat. 142; Pub. L. 93380, title VIII, §843(a)(2), (3), Aug. 21, 1974, 88 Stat. 611, related to the apportionment of grant funds among States.

Section 863, Pub. L. 8910, title V, §503, Apr. 11, 1965, 79 Stat. 49; Pub. L. 89750, title I, §§152(a), 154, Nov. 3, 1966, 80 Stat. 1203, 1204; Pub. L. 90247, title I, §§144, 145(a), Jan. 2, 1968, 81 Stat. 799, 800; Pub. L. 91230, title I, §§142(a), 143(a)(4)(C), Apr. 13, 1970, 84 Stat. 142; Pub. L. 92318, title V, §509(a)(3), June 23, 1972, 86 Stat. 353, related to programs and activities covered.

Section 864, Pub. L. 8910, title V, §504, Apr. 11, 1965, 79 Stat. 50; Pub. L. 89750, title I, §152(d), Nov. 3, 1966, 80 Stat. 1203; Pub. L. 91230, title I, §143(a)(4)(B), Apr. 13, 1970, 84 Stat. 142, related to the findings prerequisite to the approval of applications for apportioned funds.

Section 865, Pub. L. 8910, title V, §505, Apr. 11, 1965, 79 Stat. 51; Pub. L. 90247, title I, §§145(b)(3), 146, Jan. 2, 1968, 81 Stat. 800, related to special project grants.

#### PART B—LOCAL EDUCATIONAL AGENCIES

**§§866 to 866d. Omitted**

## CODIFICATION

Sections were omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95561, title V, §501, Nov. 1, 1978, 92 Stat. 2240.

Section 866, Pub. L. 8910, title V, §521, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 142; amended Pub. L. 93380, title I, §104(b), Aug. 21, 1974, 88 Stat. 503; Pub. L. 95112, §2(e)(2), Sept. 24, 1977, 91 Stat. 911, authorized appropriations for grants to local educational agencies for fiscal years ending prior to Oct. 1, 1979.

A prior section 866, Pub. L. 8910, title V, §506, Apr. 11, 1965, 79 Stat. 51, provided for payments to States: installments; advances or reimbursement; and adjustments, prior to repeal by Pub. L. 91230, title I, §143(a)(4)(A), Apr. 13, 1970, 84 Stat. 142.

Section 866a, Pub. L. 8910, title V, §522, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 143; amended Pub. L. 93380, title VIII, §843(a)(2), (3), Aug. 21, 1974, 88 Stat. 611, related to the apportionment of grant funds among States.

Section 866b, Pub. L. 8910, title V, §523, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 143, related to grants from apportioned funds and to the programs and activities covered.

Section 866c, Pub. L. 8910, title V, §524, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 144, related to the approval of applications by the Commissioner.

Section 866d, Pub. L. 8910, title V, §525, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 144, related to the approval of applications by State educational agencies.

#### PART C—COMPREHENSIVE EDUCATIONAL PLANNING AND EVALUATION

**§§867 to 867c. Omitted**

## CODIFICATION

Sections were omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95561, title V, §501, Nov. 1, 1978, 92 Stat. 2240.

Section 867, Pub. L. 8910, title V, §531, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 145; amended Pub. L. 93380, title I, §104(c), title VIII, §843(a)(2), (3), Aug. 21, 1974, 88 Stat. 503, 611; Pub. L. 95112, §2(e)(3), Sept. 24, 1977, 91 Stat. 911, authorized the appropriation of funds for comprehensive planning and evaluation grants for fiscal years ending prior to Oct. 1, 1979.

A prior section 867, Pub. L. 8910, title V, §507, Apr. 11, 1965, 79 Stat. 51, as amended, was renumbered §553 by

Pub. L. 91230, title I, §143(a)(3), Apr. 13, 1970, 84 Stat. 142, and was classified to section 869b of this title which was repealed by Pub. L. 91648, title IV, §403, Jan. 5, 1971, 84 Stat. 1925.

Section 867a, Pub. L. 8910, title V, §532, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 146, related to comprehensive planning and evaluation grants and to the establishment and functioning of State planning and evaluation agencies.

Section 867b, Pub. L. 8910, title V, §533, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 147, related to the form and content of grant applications.

Section 867c, Pub. L. 8910, title V, §534, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 148, related to the required annual reports.

## §868. Omitted

### CODIFICATION

Section, Pub. L. 8910, title V, §541, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 148; amended Pub. L. 95112, §2(e)(4), Sept. 24, 1977, 91 Stat. 912, which provided for the establishment of a National Council on Quality in Education and State advisory councils, was omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95561, title V, §501, Nov. 1, 1978, 92 Stat. 2240.

A prior section 868, Pub. L. 8910, title V, §508, Apr. 11, 1965, 79 Stat. 54, which provided for administration of State plan, was repealed by Pub. L. 91230, title I, §143(a)(4)(A), Apr. 13, 1970, 84 Stat. 142.

Provisions similar to those comprising subsecs. (a)(1), (2)(A), (E), and (a)(3) of this section were contained in section 510(a), (b), (d) of Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 54, which was classified to section 870(a), (b), (d) of this title, prior to repeal of section 870 and general amendment of title V by section 143(a)(4)(A) and (D) of Pub. L. 91230, respectively.

### PART E—GENERAL PROVISIONS

## §§869, 869a. Omitted

### CODIFICATION

Section 869, Pub. L. 8910, title V, §551, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 150, which related to the administration of plans, to hearings, and to the steps following a failure to comply with the provisions related to this subchapter, was omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95561, title V, §501, Nov. 1, 1978, 92 Stat. 2240.

A prior section 869, Pub. L. 8910, title V, §509, Apr. 11, 1965, 79 Stat. 54, which provided for judicial review, was repealed by Pub. L. 91230, title I, §143(a)(4)(A), Apr. 13, 1970, 84 Stat. 142.

Provisions similar to those comprising this section were contained in section 508 of Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 54, which was classified to section 868 of this title, prior to repeal of section 868 and general amendment of title V by section 143(a)(4)(A) and (D) of Pub. L. 91230, respectively.

Section 869a, Pub. L. 8910, title V, §552, as added Pub. L. 91230, title I, §143(a)(4)(D), Apr. 13, 1970, 84 Stat. 151, which provided for judicial review of Commissioner's decision concerning approval of application or withholding of payments, was omitted in the general revision of title V of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 47, by Pub. L. 95561, title V, §501, Nov. 1, 1978, 92 Stat. 2240.

Provisions similar to those comprising this section were contained in section 509 of Pub. L. 8910, title V, Apr. 11, 1965, 79 Stat. 54, which was classified to section 869 of this title, prior to repeal of section 869 and general amendment of title V by section 143(a)(4)(A) and (D) of Pub. L. 91230, respectively.

## §869b. Repealed. Pub. L. 91648, title IV, §403, Jan. 5, 1971, 84 Stat. 1925

Section, Pub. L. 8910, title V, §553, formerly §507, Apr. 11, 1965, 79 Stat. 51, amended Pub. L. 89750, title I, §153, Nov. 3, 1966, 80 Stat. 1204; renumbered and amended Pub. L. 91230, title I, §143(a)(3), Apr. 13, 1970, 84 Stat. 142, relating to interchange of personnel of Office of Education with States, provided in subsec. (a), definitions; subsec. (b), authorization for interchange and period of assignment; subsec. (c), Federal personnel assigned to States, compensation, continuation of Federal employment benefits, and disability; subsec. (d), reimbursement by States for services of assigned Federal personnel; subsec. (e), travel expenses of assigned Federal personnel; subsec. (f), State personnel assigned duty with Office of Education; subsec. (g), conflict of interest, disability of State personnel assigned with Office of Education; subsec. (h), travel expenses of assigned personnel; and subsec. (i), assignments of personnel subject to regulations of Commissioner.

### EFFECTIVE DATE OF REPEAL

Repeal effective sixty days after Jan. 5, 1971, see section 404 of Pub. L. 91648, set out as an Effective Date note under section 3371 of Title 5, Government Organization and Employees.

## §870. Repealed. Pub. L. 91230, title I, §143(a)(4)(A), title IV, §401(h)(3), Apr. 13, 1970, 84 Stat. 142, 174

Section, Pub. L. 8910, title V, §510, Apr. 11, 1965, 79 Stat. 54, related to the Advisory Council on State Departments of Education, providing in: subsec. (a) for its appointment by the Secretary within ninety days after April 11, 1965 and its functions; subsec. (b) for the membership and their qualifications; subsec. (c) for engagement of technical, clerical, and other assistance and access to pertinent data of the Department; subsec. (d) for an annual report to the Secretary and transmittal of it to the President and Congress; and (e) for compensation (\$100 per day limitation, including travel time) and travel expenses of members of the Council.

### SUBCHAPTER IV—EDUCATION OF HANDICAPPED CHILDREN

## §§871 to 880a. Repealed. Pub. L. 91230, title VI, §662(3), Apr. 13, 1970, 84 Stat. 188

Section 871, Pub. L. 8910, title VI, §601, formerly §601(a), as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1204; renumbered §601 and amended Pub. L. 90247, title I, §§151(4), 152(b)(2), title III, §301(c)(1), Jan. 2, 1968, 81 Stat. 800, 803, 813, authorized grants to States for education of handicapped children.

Section 872, Pub. L. 8910, title VI, §602, formerly §601(b), as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1204; renumbered §602 and amended Pub. L. 90247, title I, §§151(4), 152(b)(3), title III, §301(c)(2), Jan. 2, 1968, 81 Stat. 800, 803, 813, authorized appropriations of \$50,000,000; \$150,000,000; \$162,500,000; and \$200,000,000 for fiscal years ending June 30, 1967, 1968, 1969, 1970, respectively.

Section 873, Pub. L. 8910, title VI, §603, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1205; amended Pub. L. 90247, title I, §§152(b)(3), 153 Jan. 2, 1968, 81 Stat. 803, 804, related to allotment of appropriated funds: additional appropriation for outlying areas, payments to Secretaries of Interior and Defense, allotment among States; determination of population figures by Commissioner; reallocation.

Section 874, Pub. L. 8910, title VI, §604, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1205; amended Pub. L. 90247, title I, §151(4), Jan. 2, 1968, 81 Stat. 800, related to submission of State plans to Commissioner and requirements of such plans.

Section 875, Pub. L. 8910, title VI, §605, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1207, provided for payments.

Section 876, Pub. L. 8910, title VI, §606, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1207; amended Pub. L. 90247, title I, §151(4), Jan. 2, 1968, 81 Stat. 800, related to administration of State plans.

Section 877, Pub. L. 8910, title VI, §607, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1207, provided for judicial review: jurisdiction, record; findings, substantial evidence, remand; review by United States Supreme Court.

Section 877a, Pub. L. 8910, title VI, §608, as added Pub. L. 90247, title I, §151(5), Jan. 2, 1968, 81 Stat. 801, related to regional resource centers: authorization of appropriations of \$7,500,000; \$7,750,000; and \$10,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, respectively; availability of appropriations for grants and contracts, functions of centers; considerations governing approval, of application; and manner of payment, adjustment of overpayments and underpayments.

Section 877b, Pub. L. 8910, title VI, §609, as added Pub. L. 90247, title I, §151(5), Jan. 2, 1968, 81 Stat. 801, related to model centers for deaf-blind children: Congressional declaration of purpose; authorization of Secretary to make grants and contracts; considerations governing making of grants or contracts; necessary services to be provided by centers; payment of costs of research, development, training and dissemination; definition of “construction”; recovery of payments; determination of children who are both deaf and blind; manner of payment, adjustment of overpayments and underpayments; and authorization of appropriations of \$1,000,000; \$3,000,000; and \$7,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, respectively.

Section 877c, Pub. L. 8910, title VI, §610, as added Pub. L. 90247, title I, §151(5), Jan. 2, 1968, 81 Stat. 803, authorized grants or contracts to improve recruitment of educational personnel and dissemination of information concerning educational opportunities for handicapped.

Section 878, Pub. L. 8910, title VI, §611, formerly §608, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1207; renumbered §611, Pub. L. 90247, title I, §151(3), Jan. 2, 1968, 81 Stat. 800, provided for National Advisory Committee on Handicapped Children: membership; functions, annual report, recommendations; compensation, travel and per diem expenses; advisory professional and technical personnel.

Section 879, Pub. L. 8910, title VI, §612, formerly §609, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1208; renumbered §612, Pub. L. 90247, title I, §151(3), Jan. 2, 1968, 81 Stat. 800, provided for a bureau for education and training of the handicapped.

Section 880, Pub. L. 8910, title VI, §613, formerly §610, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1208; renumbered §613, Pub. L. 90247, title I, §151(3), Jan. 2, 1968, 81 Stat. 800, provided for labor standards requirement (prevailing wage rates).

Section 880a, Pub. L. 8910, title VI, §614, formerly §602, as added Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1204; renumbered §614, Pub. L. 90247, title I, §152(a), Jan. 2, 1968, 81 Stat. 803, defined “handicapped children”.

Such sections 871 to 877 comprised Part A—Assistance to States for education of handicapped children.

Section 877a comprised Part B—Regional resource centers for improvement of education of handicapped children.

Section 877b comprised Part C—Centers and services for deaf-blind children.

Section 877c comprised Part D—Recruitment of personnel and information on education of handicapped.

Sections 878 to 880a comprised Part E—General provisions.

#### EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1971, see section 662 of Pub. L. 91230.

### SUBCHAPTER IVA—BILINGUAL EDUCATION

#### §880b. Omitted

##### CODIFICATION

Section 880b, Pub. L. 8910, title VII, §702, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat.

503, which set out the Congressional declaration of policy with regard to bilingual education and authorized appropriations for fiscal years through the 1978 fiscal year, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title VII, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

A prior section 880b, Pub. L. 8910, title VII, §702, as added Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 816, provided for Congressional declaration of policy and defined “children of limited English-speaking ability”. Such provision remaining in effect through June 30, 1975, to the extent not inconsistent with the amendment made by section 105 of Pub. L. 93380, see section 105(a)(2)(A) of Pub. L. 93380, title I, Aug. 21, 1974, 88 Stat. 503.

##### SHORT TITLE

Pub. L. 8910, title VII, §701, as added by Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 816, and reenacted by Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 503, which provided that this subchapter be cited as the “Bilingual Education Act”, was omitted in the general revision of this subchapter, title VII of the Elementary and Secondary Education Act of 1965, as added by Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268. See Codification note above.

#### §880b1. Omitted

##### CODIFICATION

Section 880b1, Pub. L. 8910, title VII, §703, as added and amended Pub. L. 93380, title I, §105(a)(1), (b), Aug. 21, 1974, 88 Stat. 504, 512, which made general provisions for the bilingual education program, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title VII, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

A prior section 880b1, Pub. L. 8910, title VII, §703, as added Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 816; amended Pub. L. 91230, title I, §151, Apr. 13, 1970, 84 Stat. 151, authorized appropriation of 15, 30, 40, 80, 100, and 135 million dollars for fiscal years ending June 30, 1968 through 1973, respectively, and for distribution of funds.

#### §§880b2 to 880b5. Omitted

##### CODIFICATION

Sections 880b2 to 880b5, were to remain in effect through June 30, 1975. See section 105(a)(2)(A) of Pub. L. 93380, Aug. 21, 1974, 88 Stat. 512.

Section 880b2, Pub. L. 8910, title VII, §704, as added Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 817, related to uses for Federal funds.

Section 880b3, Pub. L. 8910, title VII, §705, as added Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 817 related to applications for grants, providing in subsec.: (a) for time of and contents of applications; (b) conditions for approval; and (c) amendments.

Section 880b3a, Pub. L. 8910, title VII, §706, as added Pub. L. 91230, title I, §152(a), Apr. 13, 1970, 84 Stat. 151; amended Pub. L. 92318, title IV, §452, June 23, 1972, 86 Stat. 345, provided for children in schools on or near reservations, subsec. (a) relating to local educational agency status of Indian institution or organization and subsec. (b) to payments to Secretary of Interior and criteria for such payments.

Section 880b4, Pub. L. 8910, title VII, §707, formerly §706, as added Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 819; renumbered §707 and amended Pub. L. 91230, title I, §152(a), (b), Apr. 13, 1970, 84 Stat. 151, 152, related to payments to applicants.

Section 880b5, Pub. L. 8910, title VII, §708, formerly §707, as added Pub. L. 90247, title VII, §702, Jan. 2, 1968,

81 Stat. 819; renumbered §708 and amended Pub. L. 91230, title I, §§152(a), 153, title IV, §401(h)(3), Apr. 13, 1970, 84 Stat. 151, 152, 174; Pub. L. 93380, title VIII, §845(c), Aug. 21, 1974, 88 Stat. 612; Pub. L. 94482, title V, §501(a)(21), Oct. 12, 1976, 90 Stat. 2236, related to establishment of an Advisory Committee on Education of Bilingual Children.

**§880b6. Repealed. Pub. L. 91230, title IV, §401(g)(5), Apr. 13, 1970, 84 Stat. 174**

Section, Pub. L. 8910, title VII, §709, formerly §708, as added Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 819; renumbered §709 Pub. L. 91230, title I, §152(a), Apr. 13, 1970, 84 Stat. 151, related to labor standards requirement (prevailing wage rates).

**PART A—FINANCIAL ASSISTANCE FOR BILINGUAL EDUCATION PROGRAMS**

**§§880b7 to 880b9. Omitted**

**CODIFICATION**

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title VII, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b7, Pub. L. 8910, title VII, §721, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 506, provided for bilingual education programs.

Section 880b8, Pub. L. 8910, title VII, §722, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 507, related to Indian children in schools.

Section 880b9, Pub. L. 8910, title VII, §723, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 508; amended Pub. L. 94273, §3(7), Apr. 21, 1976, 90 Stat. 376; S. Res. 4, Feb. 4, 1977, related to grants and contract for training.

**PART B—ADMINISTRATION**

**§§880b10, 880b11. Omitted**

**CODIFICATION**

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title VII, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b10, Pub. L. 8910, title VII, §731, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 509; amended Pub. L. 94273, §3(7), Apr. 21, 1976, 90 Stat. 376; Pub. L. 94482, title V, §501(d)(1), Oct. 12, 1976, 90 Stat. 2237, established the Office of Bilingual Education.

Section 880b11, Pub. L. 8910, title VII, §732, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 510; amended Pub. L. 94482, title V, §501(a)(21), (d)(2), Oct. 12, 1976, 90 Stat. 2236, 2237, provided for the establishment of the National Advisory Council on Bilingual Education.

**APPOINTMENT OF NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION**

Pub. L. 93380, title I, §105(a)(2)(B), Aug. 21, 1974, 88 Stat. 512, provided for the appointment of the National Advisory Council on Bilingual Education, which Council was provided for by section 880b11, within 90 days after Aug. 21, 1974. See Codification note above.

**PART C—SUPPORTIVE SERVICES AND ACTIVITIES**

**§§880b12, 880b13. Omitted**

**CODIFICATION**

Sections were omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title VII, as added Pub. L. 93380, title

I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

Section 880b12, Pub. L. 8910, title VII, §741, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, provided for the administration of the research and demonstration projects program.

Section 880b13, Pub. L. 8910, title VII, §742, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511; amended Pub. L. 94482, title V, §501(d)(3), Oct. 12, 1976, 90 Stat. 2237, related to research and demonstration projects.

**SUBCHAPTER V—GENERAL PROVISIONS**

**§881. Transferred**

**CODIFICATION**

Section, Pub. L. 8910, title VIII, §801, formerly title VI, §601, Apr. 11, 1965, 79 Stat. 55, renumbered title VII, §701, Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1204, renumbered title VIII, §801, and amended Pub. L. 90247, title I, §§142(b), 152(c), title VII, §§702, 703, Jan. 2, 1968, 81 Stat. 799, 803, 816, 819; Pub. L. 91230, title I, §162, Apr. 13, 1970, 84 Stat. 152; Pub. L. 94193, §1(c), Dec. 31, 1975, 89 Stat. 1102; Pub. L. 94482, title V, §501(l), Oct. 12, 1976, 90 Stat. 2237, which related to definitions, was renumbered Pub. L. 8910, title X, §1001 by Pub. L. 95561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3381 of this title, and was subsequently omitted in the general amendment of Pub. L. 8910 by Pub. L. 103382, title I, §101, Oct. 20, 1994, 108 Stat. 3519.

**§882. Repealed. Pub. L. 91230, title IV, §401(h)(3), Apr. 13, 1970, 84 Stat. 174**

Section, Pub. L. 8910, title VIII, §802, formerly title VI, §602, Apr. 11, 1965, 79 Stat. 57, renumbered title VII, §702, Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1204, renumbered title VIII, §802, Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 816, provided for appointment of advisory council and for compensation (\$100 per day limitation, including travel time) and travel expenses of the members.

**§§883 to 885. Transferred**

**CODIFICATION**

Section 883, Pub. L. 8910, title VIII, §803, formerly title VI, §603, Apr. 11, 1965, 79 Stat. 57; renumbered title VII, §703, and amended Pub. L. 89750, title I, §§111(f), 161, Nov. 3, 1966, 80 Stat. 1196, 1204; renumbered title VIII, §803, Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 816; amended Pub. L. 91230, title I, §163, title IV, §401(c)(2), Apr. 13, 1970, 84 Stat. 152, 173, was comprised of subsecs. (a) to (c). Subsecs. (a) and (b) were repealed by Pub. L. 91230, title IV, §401(c)(2), Apr. 13, 1970, 84 Stat. 173. Subsec. (c), which related to federal administration, was renumbered Pub. L. 8910, title X, §1002 by Pub. L. 95561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3382 of this title, and was subsequently omitted in the general amendment of Pub. L. 8910 by Pub. L. 103382, title I, §101, Oct. 20, 1994, 108 Stat. 3519.

Section 884, Pub. L. 8910, title VIII, §804, as added Pub. L. 93380, title I, §106, Aug. 21, 1974, 88 Stat. 512, which related to limitations on refund of payments, was renumbered Pub. L. 8910, title X, §1003 by Pub. L. 95561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3383 of this title, and was subsequently omitted in the general amendment of Pub. L. 8910 by Pub. L. 103382, title I, §101, Oct. 20, 1994, 108 Stat. 3519.

A prior section 884, Pub. L. 8910, title VIII, §804, formerly title VI, §604, Apr. 11, 1965, 79 Stat. 57; renumbered title VII, §704, and amended Pub. L. 89750, title I, §§161, 181, Nov. 3, 1966, 80 Stat. 1204, 1209; renumbered title VIII, §804, Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 816, prohibited Federal control of education (curriculum, program of instruction, administration,

personnel of any educational institution or system, selection of library resources, textbooks, or other printed or published instructional material, and assignment or transportation of students or teachers in order to overcome racial imbalance), was repealed by Pub. L. 91230, title IV, §401(f)(5), Apr. 13, 1970, 84 Stat. 173.

Section 885, Pub. L. 8910, title VIII, §805, formerly title VI, §605, Apr. 11, 1965, 79 Stat. 58; renumbered title VII, §705, Pub. L. 89750, title I, §161, Nov. 3, 1966, 80 Stat. 1204; renumbered title VIII, §805, Pub. L. 90247, title VII, §702, Jan. 2, 1968, 81 Stat. 816, which prohibited the use of funds for religious worship or instruction, was renumbered Pub. L. 8910, title X, §1004 by Pub. L. 95561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284 and transferred to section 3384 of this title. Section 1004 of Pub. L. 8910, as so renumbered, was amended by Pub. L. 95561, title IX, §901(b), Nov. 1, 1978, 92 Stat. 2305, by substituting provisions waiving requirements for certain jurisdictions for those prohibiting use of funds for religious worship or instruction.

**§886. Repealed. Pub. L. 91230, title IV, §401(d)(4), Apr. 13, 1970, 84 Stat. 173**

Section, Pub. L. 8910, title VIII, §806, formerly title VII, §706, as added Pub. L. 89750, title I, §171, Nov. 3, 1966, 80 Stat. 1209; renumbered §806 and amended Pub. L. 90247, title I, §171, title VII, §702, Jan. 2, 1968, 81 Stat. 805, 816, provided for dissemination of information and authorization of appropriations of \$1,500,000; \$3,500,000; \$3,700,000; and \$4,000,000 for fiscal years ending June 30, 1967, 1968, 1969, and 1970.

TERMINATION OF SECTION

Pub. L. 90576, title III, §303(e), Oct. 16, 1968, 82 Stat. 1096, which provided that this section shall become ineffective the first fiscal year for which funds are appropriated to carry out the provisions of section 6 of this title, was repealed by section 401(d)(3) of Pub. L. 91230.

**§887, 887a. Omitted**

CODIFICATION

Section 887, Pub. L. 8910, title VIII, §807, formerly title VII, §707, as added and renumbered Pub. L. 90247, title I, §172, title VII, §702, Jan. 2, 1968, 81 Stat. 806, 816; amended Pub. L. 91230, title I, §161, Apr. 13, 1970, 84 Stat. 152; Pub. L. 93380, title I, §107(a), Aug. 21, 1974, 88 Stat. 512; Pub. L. 95112, §2(f)(1), Sept. 24, 1977, 91 Stat. 912, which related to dropout prevention projects, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title VII, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

Section 887a, Pub. L. 8910, title VIII, §808, as added Pub. L. 91230, title I, §164, Apr. 13, 1970, 84 Stat. 153; amended Pub. L. 93380, title I, §108(a), Aug. 21, 1974, 88 Stat. 513; Pub. L. 95112, §2(f)(2), Sept. 24, 1977, 91 Stat. 912, which related to school nutrition and health services for children from low-income families, was omitted in the general revision of title VII of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title VII, as added Pub. L. 93380, title I, §105(a)(1), Aug. 21, 1974, 88 Stat. 511, by Pub. L. 95561, title VII, §701, Nov. 1, 1978, 92 Stat. 2268.

**§887b. Repealed. Pub. L. 93380, title IV, §402(c)(3), Aug. 21, 1974, 88 Stat. 546**

Section, Pub. L. 8910, title VIII, §809, as added Pub. L. 91230, title I, §164, Apr. 13, 1970, 84 Stat. 154; amended Pub. L. 93380, title I, §109(a), Aug. 21, 1974, 88 Stat. 513, related to correction education services, providing in subsecs. (a) for grants for research and demonstration projects; (b) for appointment and functions of advisory committees and furnishing of advice and recommendations of Federal officials and other persons and organizations to the Commissioner; and (c) for authorization of \$500,000 for fiscal years ending June 30, 1974, and 1975.

Section 109(b) of Pub. L. 93380 made such authorizations effective on and after July 1, 1974.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1975, see section 402(c)(3) of Pub. L. 93380.

**§§887c to 887c2. Transferred**

CODIFICATION

Section 887c, Pub. L. 8910, title VIII, §810, as added Pub. L. 92318, title IV, §421(a), June 23, 1972, 86 Stat. 339; amended Pub. L. 93380, title VI, §631(a), 632(a), Aug. 21, 1974, 88 Stat. 585, 586, which related to improvement of educational opportunities for Indian children, was renumbered Pub. L. 8910, title X, §1005, by Pub. L. 95561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3385 of this title, and was subsequently repealed by Pub. L. 100297, title V, §5352(2), Apr. 28, 1988, 102 Stat. 414.

Section 887c1, Pub. L. 92318, title IV, §422, as added Pub. L. 93380, title VI, §632(c), Aug. 21, 1974, 88 Stat. 586; amended Pub. L. 95561, title XI, §1141(c)(1), 1152(a), Nov. 1, 1978, 92 Stat. 2329, 2333, which related to special educational training programs for teachers of Indian people, was transferred to section 3385a of this title, and was subsequently repealed by Pub. L. 100297, title V, §5352(4), Apr. 28, 1988, 102 Stat. 414.

Section 887c2, Pub. L. 92318, title IV, §423, as added Pub. L. 93380, title VI, §632(c), Aug. 21, 1974, 88 Stat. 586; amended Pub. L. 95561, title XI, §1141(c)(2), 1152(b), Nov. 1, 1978, 92 Stat. 2329, 2333, which related to fellowships for Indian students, was transferred to section 3385b of this title, and was subsequently repealed by Pub. L. 100297, title V, §5352(4), Apr. 28, 1988, 102 Stat. 414.

**§887d. Repealed. Pub. L. 95561, title III, §301(b)(1)(F), Nov. 1, 1978, 92 Stat. 2228**

Section, Pub. L. 8910, title VIII, §811, as added Pub. L. 92318, title V, §505(a)(3), June 23, 1972, 86 Stat. 348; amended Pub. L. 93380, title IV, §407(a), Aug. 21, 1974, 88 Stat. 553, related to consumers' education programs.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 30, 1979, see section 301(b)(1) of Pub. L. 95561.

CONGRESSIONAL DECLARATION OF FINDINGS AND PURPOSE

Pub. L. 92318, §505(a)(1), (2), June 23, 1972, 86 Stat. 348, provided the findings and purpose of Congress for this section.

**§887e. Transferred**

CODIFICATION

Section, Pub. L. 8910, title VIII, §812, as added Pub. L. 93380, title I, §110, Aug. 21, 1974, 88 Stat. 513, which provided for open meetings of educational agencies, was renumbered Pub. L. 8910, title X, §1006, by Pub. L. 95561, title VIII, §801(1), (2), Nov. 1, 1978, 92 Stat. 2284, and transferred to section 3386 of this title, and was subsequently omitted in the general amendment of Pub. L. 8910 by Pub. L. 103382, title I, §101, Oct. 20, 1994, 108 Stat. 3519.

**§888. Repealed. Pub. L. 91230, title IV, §401(e)(1), Apr. 13, 1970, 84 Stat. 173**

Section, Pub. L. 90247, §2, Jan. 2, 1968, 81 Stat. 783, which was not enacted as part of Pub. L. 8910 which comprised this subchapter, provided for citation of authority and uniform application of rules and regulations.

## SUBCHAPTER VI—ETHNIC HERITAGE PROGRAM

### §§900 to 900a5. Omitted

#### CODIFICATION

Sections were omitted in the general revision of title IX of the Elementary and Secondary Education Act of 1965, Pub. L. 8910, title IX, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 347, by Pub. L. 95561, title VIII, §802, Nov. 1, 1978, 92 Stat. 2292.

Section 900, Pub. L. 8910, title IX, §901, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 346, contained the Congressional statement of policy with regard to the ethnic heritage program.

Section 900a, Pub. L. 8910, title IX, §902, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 347, authorized grants for the ethnic heritage studies program.

Section 900a1, Pub. L. 8910, title IX, §903, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 347; amended Pub. L. 93380, title I, §111(b), Aug. 21, 1974, 88 Stat. 513, described the authorized activities for the ethnic heritage program.

Section 900a2, Pub. L. 8910, title IX, §904, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 347, related to the form and content of applications for assistance.

Section 900a3, Pub. L. 8910, title IX, §905, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 347, related to the administration of the program.

Section 900a4, Pub. L. 8910, title IX, §906, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 348, established the National Advisory Council on Ethnic Heritage Studies.

Section 900a5, Pub. L. 8910, title IX, §907, as added Pub. L. 92318, title V, §504(a), June 23, 1972, 86 Stat. 348; amended Pub. L. 93380, title I, §111(a)(1), Aug. 21, 1974, 88 Stat. 513, authorized appropriations for fiscal years through fiscal year 1978.

## CHAPTER 25—PAY AND PERSONNEL PROGRAM FOR OVERSEAS TEACHERS

- Sec.  
901. Definitions.  
902. Regulations of Secretary of Defense.  
    (a) Employment, compensation, etc., of teachers.  
    (b) Effective date of regulations.  
903. Administration.  
    (a) Employment and salary practices.  
    (b) Determination of exempt positions and individuals; establishment of annual salary rate.  
    (c) Rates of basic compensation.  
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904. Leave.  
    (a) Entitlement; amount.  
    (b) Saturdays, Sundays, holidays, and nonwork days.  
    (c) Purposes for taking leave.  
    (d) Credit for persons holding teaching positions and for employees transferred, promoted or reappointed.  
    (e) Excess of maximum amount of accumulated leave; reduction.  
    (f) Liquidation of unused leave upon separation.  
    (g) Transfer of leave credit for teachers transferred, promoted or reappointed to positions under different leave system.  
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905. Quarters, quarters allowances, and storage.  
    (a) Entitlement.  
    (b) Furnishing of living quarters or grant of allowance.

- Sec.  
    (c) Recess periods.  
    (d) Failure to report for service; liability to United States.  
    (e) Employment in other positions during recess periods.  
906. Entitlements in addition to basic compensation.  
    (a) Cost-of-living increase and additional compensation.  
    (b) Post differential.  
907. Applicability of other laws.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 922 of this title; title 5 section 5722; title 25 section 2012.

### §901. Definitions

For the purposes of this chapter, the term—

(1) “teaching position” means those duties and responsibilities which—

(A) are performed on a school-year basis principally in a school operated by the Department of Defense in an overseas area for dependents of members of the Armed Forces and dependents of civilian employees of the Department of Defense, and

(B) involve—

(i) classroom or other instruction or the supervision or direction of classroom or other instruction; or

(ii) any activity (other than teaching) which requires academic credits in educational theory and practice equal to the academic credits in educational theory and practice required for a bachelor's degree in education from an accredited institution of higher education; or

(iii) any activity in or related to the field of education notwithstanding that academic credits in educational theory and practice are not a formal requirement for the conduct of such activity.

(2) “teacher” means an individual—

(A) who is a citizen of the United States,

(B) who is a civilian, and

(C) whose services are required on a school-year basis in a teaching position.

(3) “overseas area” means any area situated outside the United States.

(4) “United States”, when used in a geographical sense, means the several States of the United States of America, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, the Canal Zone, and the possessions of the United States (excluding the Trust Territory of the Pacific Islands and Midway Islands).

(Pub. L. 8691, §2, July 17, 1959, 73 Stat. 213.)

#### REFERENCES IN TEXT

For definition of Canal Zone, referred to in par. (4), see section 3602(b) of Title 22, Foreign Relations and Intercourse.

#### CODIFICATION

Section was formerly classified to section 2351 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89554, §1, Sept. 6, 1966, 80 Stat. 378.

#### SHORT TITLE

Section 1 of Pub. L. 8691 provided that: “This Act [enacting this chapter and provisions now contained in